IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 1301 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE A.M.KAPADIA

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BAI MANIBEN JADAV

Versus

BHIKHA JADAV VAGHAMSHI

Appearance:

1. First Appeal No. 1301 of 1983

MR DU SHAH for appellant

MR PV HATHI for Respondents No. 1-6

CORAM : MR.JUSTICE A.M.KAPADIA

Date of decision: 11/02/2002

ORAL JUDGEMENT

1. Mr. D.U. Shah, learned advocate for the appellant seeks leave to withdraw the First Appeal No.1301 of 1983 as the dispute is settled between the parties out of the Court and he is instructed by the

appellant by her postcard dated January 23, 2002 to withdraw the appeal. Mr. P.V. Hathi, learned advocate for the respondents has no objection if leave to withdraw the appeal is granted and he also does not press cross-objection filed by respondent Nos.3 and 4 as the appeal is sought to be withdrawn.

2. I have heard Mr. D.U. Shah, learned advocate for the appellant and Mr. P.V. Hathi, learned advocate for the respondents.

3. On the facts and circumstances emerging from the record of the case, since the dispute between the parties is settled outside the court as reported by Mr. D.U. Shah learned advocate for the appellant upon the instructions received by him by way of postcard dated January 23, 2002, leave to withdraw the appeal is granted. The appeal stands disposed of as it is withdrawn. Cross objection is also withdrawn as it is not pressed. In view of the withdrawal, there shall be no order as to costs in the appeal as well as cross-objection.

(A.M. Kapadia, J.)

(karan)